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HOUSE BILL 1004

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

W. Ken Martinez

AN ACT

RELATING TO REGIONAL PLANNING; PROVIDING FOR DIRECT
DISBURSEMENT BY THE COUNTY TREASURER TO A REGIONAL PLANNING
COMMISSION; EXPANDING THE REGIONAL PLANNING COMMISSION POWERS
AND DUTIES; AMENDING THE REGIONAL PLANNING ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 3-56-3 NMSA 1978 (being Laws 1967,
Chapter 239, Section 3, as amended) is amended to read:

"3-56-3. MEMBERSHIP AND ORGANIZATION.--

A. Membership of the regional planning commission
shall consist of representatives from each participating
government, in number and for terms specified in the agreement.
Representatives are not required to be members of the local
governing body or district they represent but may be selected
from among residents of the area within its jurisdiction. A

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1 representative of the state government may be designated by the
2 governor to attend meetings of the commission.

3 B. Members of the commission shall serve without
4 compensation, but shall be reimbursed for expenses incurred in
5 pursuit of their duties on the commission pursuant to the Per
6 Diem and Mileage Act. The commission shall elect its own
7 ~~[chairman]~~ chair from among its members, and shall establish
8 its own rules and the committees it deems necessary to carry on
9 its work. Committees may have as members persons other than
10 members of the commission and other than elected officials.
11 The commission shall meet as often as necessary but no less
12 than four times a year.

13 C. The commission shall adopt an annual budget to
14 be submitted to the participating governments which shall each
15 contribute to the financing of the commission according to a
16 formula specified in the agreement. Subject to approval of the
17 secretary of ~~[the department of]~~ finance and administration, a
18 regional planning commission may apply for, receive and utilize
19 grants or other aid from the federal government or any of its
20 agencies or from any other source.

21 D. The commission may adopt a resolution directing
22 the county treasurer of each county within the regional
23 planning area of the commission to disburse directly the amount
24 of the participating government's contribution, as provided for
25 in Subsection C of this section, to the regional planning

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1 commission for that regional planning area upon:

2 (1) approval of the contribution amount by the
3 governing body of the participating government;

4 (2) certification by the director of the
5 commission of the amount of the participating government's
6 contribution; and

7 (3) final approval of the participating
8 government's budget by the local government division of the
9 department of finance and administration."

10 Section 2. Section 3-56-5 NMSA 1978 (being Laws 1967,
11 Chapter 239, Section 5) is amended to read:

12 "3-56-5. POWERS AND DUTIES.--

13 A. The regional planning commission shall:

14 [~~A.~~] (1) prepare and from time to time revise,
15 amend, extend or add to [~~a plan or~~] plans for the development
16 of the region. The plans shall be based on studies of
17 physical, social, economic and governmental conditions and
18 trends and shall aim at the coordinated development of the
19 region in order to promote the general health, welfare,
20 convenience and prosperity of its people. The plans shall
21 embody the policy recommendations of the commission and shall
22 include but not be limited to:

23 [~~(1)~~] (a) a statement of the objectives,
24 standards and principles sought to be expressed in the plan;

25 [~~(2)~~] (b) recommendations for the most

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1 desirable pattern and intensity of general land use within the
2 region in the light of the best available information
3 concerning natural environmental factors, the present and
4 prospective economic and demographic bases of the region and
5 the relation of land use within the region to land use in
6 adjoining regions;

7 [~~(3)~~] (c) recommendations for the
8 general circulation pattern for the region, including land,
9 water and air transportation and communication facilities
10 whether used for movement within the region or to and from
11 adjoining areas;

12 [~~(4)~~] (d) recommendations concerning the
13 need and proposed general location of public and private works
14 and facilities which by reason of their function, size, extent
15 or for any other cause are of a regional, as distinguished from
16 purely local, concern;

17 [~~(5)~~] (e) recommendations for the long-
18 range programming and financing of capital projects and
19 facilities; and

20 [~~(6)~~] (f) other appropriate
21 recommendations concerning current and impending problems which
22 may affect the region;

23 [~~B-~~] (2) prepare studies of the region's
24 resources, both natural and human, with respect to existing and
25 emerging problems of industry, commerce, transportation,

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1 population, housing, agriculture, public service, local
2 governments and any other matters relevant to regional
3 planning;

4 [G.] (3) collect, process and analyze at
5 regular intervals social and economic statistics for the region
6 necessary to planning studies and make the results available to
7 the public;

8 [D.] (4) participate with other government
9 agencies, educational institutions and private organizations in
10 the coordination of regional research activities [~~under~~
11 ~~Subsections B and C of this section~~] pursuant to Paragraphs (2)
12 and (3) of this subsection;

13 [E.] (5) cooperate with and provide planning
14 assistance to county, municipal or other local governments,
15 instrumentalities or planning agencies within the region and
16 coordinate regional planning with the planning activities of
17 the state and of the counties, municipalities, special
18 districts or other government units within the regions as well
19 as neighboring regions and the programs of federal departments
20 and agencies;

21 [F.] (6) provide information to officials of
22 departments, agencies and instrumentalities of federal, state
23 and local governments and to the public at large in order to
24 foster public awareness and understanding of the objectives of
25 the regional plan and the functions of regional and local

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1 planning and to stimulate public interest and participation in
2 the orderly, integrated development of the region;

3 ~~[G.]~~ (7) receive and review for compatibility
4 with regional plans all proposed comprehensive land use,
5 circulation and public facilities plans and projects, zoning
6 and subdivision regulations, official maps and building codes
7 of local governments in the geographic area and any amendments
8 or revisions thereof and make recommendations for their
9 modification where necessary to achieve compatibility;

10 ~~[H.]~~ (8) review participating local government
11 applications for capital project financial assistance from
12 state and federal governments and comment upon their
13 consistency with the regional development plan and review and
14 comment upon state plans for highways and public works within
15 the area to promote coordination of all intergovernmental
16 activities in the region on a continuing basis;

17 ~~[I.]~~ (9) exercise all other powers necessary
18 and proper for the discharge of its duties; and

19 ~~[J.]~~ (10) when deemed desirable, exercise its
20 powers jointly or in cooperation with agencies or political
21 subdivisions of this state or any other state, with agencies of
22 the United States or with Indian reservations, tribes or
23 pueblos, subject to statutory provisions applicable to
24 interjurisdictional agreements.

25 B. The regional planning commission may:

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1 (1) enter into contracts or cooperate and
2 participate with state, federal or local governments or their
3 agencies, departments, instrumentalities, boards and
4 commissions or federally recognized Indian nations, tribes or
5 pueblos to provide or perform services or to operate, manage,
6 supervise and implement programs, projects or activities;

7 (2) accept grants and contributions from
8 state, federal and local governments or federally recognized
9 Indian nations, tribes or pueblos; and

10 (3) acquire, purchase or lease real and
11 personal property."